UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ANNE BRUMBAUGH, GARY L. HARMON AND RANDY K. GRIFFIN, on behalf of themselves and all others similarly situated,)))
Plaintiffs,	Civil Action No. 3:04-CV-30022 (MAP)
v.))
WAVE SYSTEMS CORPORATION,	,)
JOHN E. BAGALAY, JR., STEVEN K.)
SPRAGUE, and GERARD T. FEENEY,)
)
Defendants.)

ASSENTED TO MOTION FOR EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF CLASS CERTIFICATION

Plaintiffs, by and through their undersigned counsel of record, respectfully move this Court for an extension of time THROUGH AND INCLUDING June 28, 2006 in which to file their reply in support of their motion to for class certification.

In support of this Motion, the Plaintiffs would respectfully show the following:

- 1. Plaintiffs recently requested, and were granted, an extension of time to file their reply in support of class certification on or before June 26, 2006.
- 2. Plaintiffs' counsel who are primarily responsible for preparing the Plaintiffs' class certification reply papers are the Schiffrin & Barroway ("S&B") firm located in Radnor, Pennsylvania. S&B have been experiencing repeated power failures at their building and other technical problems due in whole or in part to severe weather conditions, which have prevented the electronic transmission of the reply papers to local counsel. These problems have affected

both S&B's computer network system and their phone system. We are advised that flash flood warnings are in effect and the problems may continue through tomorrow.

- 3. Plaintiffs, therefore, submit that good cause exists for the granting of the requested extension.
- 4. The requested extension does not affect any other scheduled dates in this action, including the hearing on Plaintiffs' motion for class certification, which is set for July 10, 2006.

WHEREFORE, the Plaintiffs respectfully request that they be granted an extension to file their reply in support of their motion for class certification through June 28, 2006.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Undersigned counsel certifies that they have conferred with counsel for Defendants in a good faith effort to resolve or narrow the issues raised by this Motion and that Defendants' counsel indicated that they would assent to this Motion.

Dated: June 26, 2006 Respectfully submitted,

/s/ Douglas M. Brooks

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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on June 26, 2006.

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